

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application

Serial No. 10/707,921

Applicant: ERFAN, Onjé

Filed 01/26/2004

TC/AU 3762

Examiner: Lenwood Faulcon Jr.

Confirmation No. 1920

Attorney Docket No. ERF125

Customer No. 26092

**DECLARATION OF JIM GOEBEL
UNDER 37 C.F.R. 1.132**

1. I am Jim Goebel. I design and administer the Internet site www.net1device.com for Dr. Onjú Erfan. I have been asked to research and verify when this site first disclosed the Net 1000 device.
2. My research included review of the archived versions of the web site as recorded at archive.org. On information and belief, archive.org locates and stores web pages according to date.
3. I attach Exhibit 1 showing the index page from archive.org for the web site net1device.com. The URL for this index page is http://web.archive.org/web/*/http://www.net1device.com
4. From the index page of Exhibit 1, I reviewed the archived web site for the following dates, which are attached as Exhibit 2, 3, 4, and 5:

Exhibit 2, January 22, 2003 (one year and three days before patent application filing date), archived at <http://web.archive.org/web/20030122031927/http://www.net1device.com/>

Exhibit 3, February 5, 2003 (less than one year before patent application filing date), archived at <http://web.archive.org/web/20030205104102/http://net1device.com/>

Appl. No. 10/707,921
Appendix to Amdt. Dated January 6, 2006

Exhibit 4, March 29, 2004 (less than one year before patent application filing date, immediately prior to asterisk marked archived site, where archive.org says asterisk denotes site update), archived at <http://web.archive.org/web/20040329131721/http://net1device.com/>

Exhibit 5, May 18, 2004 (less than one year before patent application filing date, where archive.org has marked this record with an asterisk denoting site update), archived at <http://web.archive.org/web/20040518004642/http://www.net1device.com/>

5. Exhibit 2 shows a web site that does not mention the Net 1000 device. This is the nearest archive prior to one year before patent application filing date.
6. Exhibits 3 and 4 show a web site that does not mention the Net 1000 device. Both archives are within one year of patent application filing date.
7. Exhibit 5 is the first archive showing mention of Net 1000. Comparison of Exhibit 4 and Exhibit 5 shows that Net 1000 first appeared between March 29 and May 18, 2004. The patent application was filed January 26, 2004, which is prior to the archive dates of Exhibits 4 and 5.
8. Other business records and my best recollection of events are in agreement that the Net 1000 was not disclosed on the web site prior to the filing date of this patent application.

VERIFICATION:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any document or any patent resulting there from.


JIM GOEBEL

1-6-06
Date



Enter Web Address:

All



Adv. Search Compare Archive Pages

Searched for <http://www.net1device.com>

57 Results

Note some duplicates are not shown. See all.
* denotes when site was updated.


Search Results for Jan 01, 1996 - Jan 05, 2006

1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
0 pages	0 pages	1 pages	4 pages	0 pages	7 pages	12 pages	18 pages	9 pages	4 pages	0 pages
		Dec 07, 1998 *	Jan 25, 1999 Feb 08, 1999 Feb 09, 1999 Apr 17, 1999 *		Jan 24, 2001 * Feb 02, 2001 Mar 02, 2001 * Apr 19, 2001 May 15, 2001 Sep 25, 2001 Dec 02, 2001	Jan 18, 2002 May 25, 2002 Jul 20, 2002 Aug 03, 2002 Sep 23, 2002 Sep 25, 2002 Sep 28, 2002 Sep 28, 2002 Nov 22, 2002 * Nov 24, 2002 Nov 26, 2002 Nov 28, 2002	Jan 22, 2003 Feb 05, 2003 Feb 16, 2003 Feb 20, 2003 Mar 29, 2003 Apr 22, 2003 Apr 24, 2003 May 29, 2003 Jun 01, 2003 Jun 23, 2003 Jul 24, 2003 Jul 26, 2003 Aug 06, 2003 Sep 19, 2003 Oct 22, 2003 Nov 19, 2003 Nov 29, 2003 Dec 18, 2003	Jan 22, 2004 Mar 22, 2004 Mar 29, 2004 May 18, 2004 * Jul 02, 2004 * Aug 26, 2004 * Sep 24, 2004 * Sep 26, 2004 * Oct 09, 2004	Jan 29, 2005 * Feb 03, 2005 * Feb 10, 2005 Mar 05, 2005	

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EXHIBIT 1
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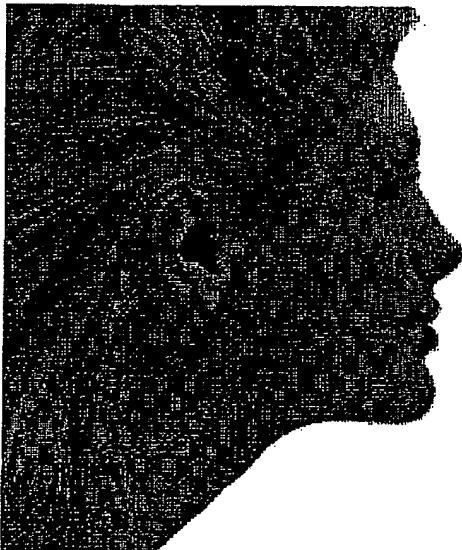


NET-I

NEURO-ELECTRIC-THERAPY

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- [Availability](#)
- ✕
- [Instructions](#)
- [Results & Studies](#)
- ✕
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✕



Auri-Stim Medical, Inc. developer of the Neuro-Electric-Therapy (NET-I™) device a privately held company. The company has not received any financial support from government or other sources for the research and development, and a limited support for its clinical trials from the C Foundation.

The NET-I™ device is the result of years of research and development. It produces specifically defined electrical signals to electrodes placed in contact with the outer ear. The NET-I is a highly sophisticated electronic unit that makes treatment immediately available whenever there is a need for it.

The NET-I device offers a viable alternative therapy to millions of individuals who suffer from migraine, hormonal, chronic headaches, premenstrual syndrome (PMS), nicotine and narcotics addictions. It has proven extremely successful for those who have not responded well to other types of treatment and for those who cannot physiologically tolerate medication or nicotine substitute products and have found these to be ineffective. It is a non-invasive and non-addictive device. It can also be used in conjunction with medications without concern for contraindications.

NET-I May Reduce:

- Nicotine Withdrawal Symptoms
- Narcotics Withdrawal Symptoms
- Alcohol Withdrawal Symptoms
- Menstrual Disorders (PMS)
- Migraine, Hormonal, chronic Headaches

Advantages of using the NET-I device over other methods:

- Self Therapy
- Safe
- Time efficient
- Non-invasive
- Highly effective
- Non-addictive

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EXHIBIT 2

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- Painless
- No narcotic side effects/dependency
- Imperceptible Electrical Output
- Cost effective
- Easy to operate for children & adults


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EXHIBIT 2

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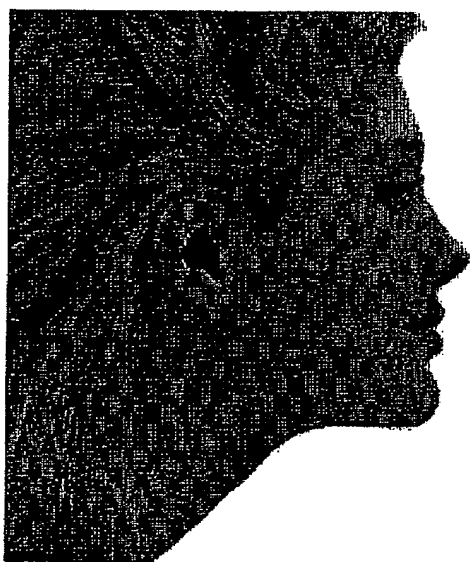
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EXHIBIT 3

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EXHIBIT 3

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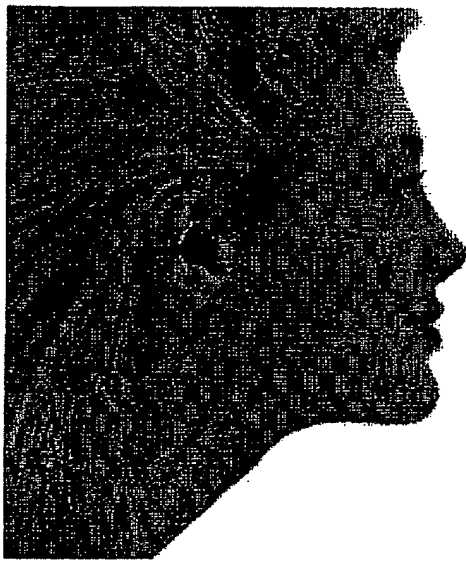


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- Non-invasive
- Highly effective
- Non-addictive

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EXHIBIT 4

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- Painless
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EXHIBIT 4

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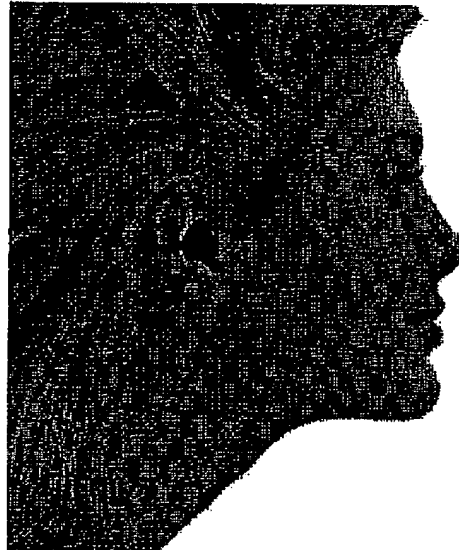


NET-1000

AURI-STIM MEDICAL, INC.

NEURO-ELECTRIC THERAPY

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Auri-Stim Medical, Inc. developer of Neuro-Electric-Therapy (NET-1000™) device is a privately held company. The company has solely funded the research and development activities since its inception. The device is capable of Auricular and Transcranial electrical stimulation. It produces and delivers specifically defined electrical signals through electrodes placed in contact with the outer ears. The NET-1000 device is the next generation of Auricular therapy stimulator that has replaced the NET-1000 device. The device was used to collect data in all our clinical trials. Electronically and functionally NET-1000 device is more sophisticated than the NET-1000.

The Company would like to acknowledge the Coors Family and Coors Foundation for their contributions and grants given to the University of Colorado, Boulder, CO for the initial clinical trials.

The NET-1000 device offers a viable alternative therapy to millions of individuals who suffer from Migraine Headaches, Hormonal Migraine, Chronic Headaches, Premenstrual Syndrome (PMS), Nicotine and Narcotics Addiction. The device has also proven safe and highly effective for individuals who do not respond well to medications and other types of therapy. And individuals who cannot physiologically tolerate medications or nicotine substitute products. The device is safe, non-invasive and non-addictive. If needed, it can be used in conjunction with medications without concern for adverse reactions.

NET-1000 Device Reduces:

- Migraine, Hormonal Migraine, and Chronic Headaches
- Menstrual Disorders (PMS)
- Nicotine Withdrawal Symptoms
- Narcotics Withdrawal Symptoms
- Depression, Anxiety, and Stress Related to Chronic Pain and Addiction

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EXHIBIT 5

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Advantages of using the NE 1000 device over other methods:



- Safe
- Highly Effective
- No Narcotic Side Effects
- Non-Addictive
- Non-Invasive
- Painless
- Cost-Effective
- Time-Efficient
- Self-Therapy
- Easy to operate by children & adult

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